

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 MARLOW TODD EGGUM,

10 Petitioner,

11 v.

12 JEFFREY UTTECHT,

13 Respondent.

Case No. C14-1328-RAJ-MAT

ORDER GRANTING PETITIONER'S
MOTION TO STAY AND ABEY
HABEAS PETITION

14 This is a 28 U.S.C. § 2254 habeas action. Petitioner, who was recently appointed counsel,
15 has moved to stay and abey this action so that he can attempt to exhaust some of his claims in the
16 state courts. (Dkt. 101.) Respondent has no objection to the stay. (Dkt. 102.) Based on the
17 foregoing, the Court finds and ORDERS:

18 (1) Petitioner's unopposed motion to stay (Dkt. 101) is GRANTED.

19 (2) This action is STAYED pending completion of the state court personal restraint
20 petition that petitioner will file in the near future. Within 30 days after issuance of the mandate or
21 certificate of finality in the state court proceedings, the parties shall meet and confer and advise
22 the Court whether the federal habeas action is ready to proceed. Once the parties have advised the
23 Court that the stay may be lifted, the Court will set a schedule for additional briefing.

ORDER GRANTING PETITIONER'S
MOTION TO STAY AND ABEY
HABEAS PETITION - 1

1 (3) The Clerk is directed to send copies of this order to the parties and to the Honorable
2 Richard A. Jones.

3 Dated this 10th day of August, 2017.

4
5 
6 Mary Alice Theiler
United States Magistrate Judge